

United States Court of Appeals for Veterans Claims

INTERNAL OPERATING PROCEDURES

These procedures are changed, as indicated by the underlined portions, effective February 14, 2003, as follows:

VIII. PETITIONS FOR EXTRAORDINARY WRITS

- (a) **Authority.** In addition to its appellate jurisdiction, the Court has the authority, under the All Writs Act, 28 U.S.C. § 1651(a), to issue all writs necessary or appropriate in aid of its jurisdiction. See *In Re Fee Agreement of Cox*, 10 Vet.App. 361, 367-71 (1997), vacated in part on other grounds sub nom. *Cox v. West*, 149 F.3d 1360 (Fed. Cir. 1998).
- (b) **Procedure.**

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- (3) Once final action has been taken on a petition, judgment and mandate will be entered in accordance with the Court's Rules of Practice and Procedure.

IX. APPLICATIONS FOR ATTORNEY FEES AND EXPENSES

- (a) **Procedure.** After the filing of an application pursuant to 28 U.S.C. § 2412 for award of attorney fees and expenses, the Secretary's response, and any reply, the Public Office sends the case file to CLS. CLS provides an initial evaluation and a memorandum recommending a particular disposition of the application. CLS sends copies of the memorandum, application, response, reply, and any other pertinent documents through the Calendar Clerk to a judge or panel, as appropriate, for action. All actions relating to an application will carry the designation "(E)" after the docket number.

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- (d) **Finality.** Once final action has been taken on an application, judgment and mandate in connection with the application will be entered in accordance with the Court's Rules of Practice and Procedure. This will be done in addition to the judgment and mandate associated with disposition of the merits of the case.